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1fr 3627

PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|---|----------------------|------------------------|--|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/074,427             |  |
|   | Filing Date          | 02/11/2002             |  |
|   | First Named Inventor | Srinivas Bette         |  |
|   | Group Art Unit       |                        |  |
|   | Examiner Name        |                        |  |
| Total Number of Pages in This Submission  |                      | 11                     |  |
|   |                      | Attorney Docket Number |  |

| ENCLOSURES (check all that apply)   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks   |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                   |
|--|-------------------|
| Firm or Individual name                    | Srinivas Bette    |
| Signature                                  |                   |
| Date                                       | 5/1/05 05/01/2005 |

| CERTIFICATE OF MAILING   |                |      |            |
|--|----------------|------|------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: EU097798696US |                |      |            |
| Typed or printed name  | Srinivas Bette |      |            |
| Signature  |                | Date | 05/01/2005 |

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Appl. No. : 10/074,427  
Applicant : Srinivas Bette  
Filed : 02/11/2002  
TC/A.U. : 3627  
Examiner : James S. McClellan

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING  
(37 CFR 1.8a)  
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail and in an envelope addressed to: Commissioner for Patents, , P.O. Box 1450, Alexandria, VA 22313-1450.

SRINIVAS BETTE

(Printed or typed name of person mailing paper)

(Signature of person mailing paper)

Date: 5/1/05

Transmitted herewith is an Amendment A for filing in the above-identified patent application.

The fee has been calculated as shown below:

|        | Claims<br>Remaining<br>After<br><u>Amendment</u> |   | Highest No.<br><u>Previously</u><br><u>Paid</u> |   | <u>Present</u><br><u>Extra</u> | Small<br>Entity<br><u>Rate</u> | Additional<br><u>Fee</u> |
|--------|--|---|---|---|--------------------------------|--------------------------------|--------------------------|
| Total  | 13   | - | 20  | = | 0                              | \$ 9.00                        | \$0                      |
| Claims |  |   |   |   |                                |                                |                          |
| Indep. | 2  | - | 6   | = | 0                              | \$43.00                        | \$0                      |
| Claims |  |   |   |   |                                |                                |                          |
|        |  |   |   |   |                                | TOTAL                          | \$0                      |

Respectfully submitted,

Date: 5/1/05

  
Dr. Srinivas Bette



Appl. Ser. No. : 10/074,427  
Confirmation No.  
Applicant : Srinivas Bette  
Filed : 02/11/2002  
TC/A.U. : 3627  
Examiner : James S. McClellan

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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|---|
| <p style="text-align: center;">CERTIFICATE OF MAILING<br/>(37 CFR 1.8a)</p> <p>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail and in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>_____<br/>Srinivas Bette<br/>(Printed or typed name of person mailing paper)</p> <p>_____<br/>(Signature of person mailing paper)</p> <p>Date: <u>5/1/05</u></p> |
|---|

AMENDMENT B

Sir:

Pursuant to a Request for Continued Examination filed concurrently herewith, please amend the above-identified application as follows:

**Letter to Examiner** begins on Page 2 of this paper

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.

Dear Mr. McClellan:

In addition to an official response, I wanted to personally communicate and seek advice on how to meaningfully progress this application. I feel there is a gap in my understanding of what we are presenting in terms of the innovation in these claims and your perception of the same in light of the references cited.

I do strongly believe that we have some key ideas which are innovative. One, the engineering design itself considers probability distribution functions for parameters such as load and strengths of material. This is not done in any of the prior art because it is new. Second, the use of economic parameters and market parameters for optimizing the design is unique. No one to date has done this. The key here is that the product design will be different based on these constraints. Third, all of these new design methods, optimization formulations, market data of distributions and economics come together in a usable web-based computer system. It is impossible to do this without these web systems.

I have read Kim's patent and find that they have taken an existing design methodology for shallow burial concrete pipes, which is widely used in the industry and provided a user interface based computer system. The benefit may be ease of use and speed, but not in terms of design. Theirs is a static design, no risk distribution based design, no live market data integrations and no optimization of design. Demmer doesn't integrate with procurement systems to obtain different design outcome. Demmer's computer system is a project management and scheduling system which includes scheduling of material procurement necessary for the manufacturing, which is a common engineering design, procurement and construction process. In Demmer's system, the design is already completed or fed into by customer requirements. The market place economic, engineering, timing data does not influence the design. Hence, what we claim is fundamentally different.

So, as you can see I am at a loss. I am not certain how else to present this innovation and claims to be made acceptable. Hence, I respectfully seek your advice.

We have amended some of the claims to speak specifically to your objections. My general remarks will largely speak to your specific objections with examples of how our innovation is different and new.

Yours truly,



Dr. Srinivas Bette'